

"Auditor: Score miscount gave firing range to wrong firm."

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DOVER — State Auditor R. Thomas Wagner Jr. told lawmakers Wednesday that investigators from his office found the state made a math error in the scoring process used to select the firm that was awarded the design contract for the state police firing range near Smyrna.

State Police closed the range in March because of environmental concerns and continuing equipment problems.

Mr. Wagner presented the information during a closed-door update on the investigation to the legislative bipartisan Bond Bill Committee.

He said the committee agreed to appropriate \$1 million for cleaning the troubled facility and hiring an independent consultant to make recommendations on what needs to be done to get the troubled facility open again.

The state's Facilities Management division in the Department of Administrative Services conducted the scoring process, Mr. Wagner said.

"They had a scoring mechanism with five, six or seven different criteria," he said. "Had the criteria been properly scored, another firm would have had the design contract."

JAED Corp., of Smyrna got the design contract. Mr. Wagner said the runner-up, Clark Nexsen, of Norfolk, Va., would have been the successful bidder had the scoring been tallied correctly.

Clark Nexsen is a nationally recognized expert in indoor firing range design. JAED, which had not previously designed a firing range, hired Clark Nexsen later as a consultant.

Mr. Wagner said he presented the committee with preliminary findings in the two-month-long probe, which was requested by Gov. Ruth Ann Minner.

"We went through the issues as time allowed," he said. "There's no silver bullet in terms of one scenario that created all the problems.

"I'd say you could describe it as a comedy of errors."

The \$3.3 million range opened in 1998. Structural and air quality problems surfaced almost immediately, forcing a temporary closure the next year.

State police shut down the facility this year after members of a recruit class complained nosebleeds, headaches and a "penny taste" in their mouths. Subsequent tests revealed higher than standard amounts of lead, zinc and copper in the air.

Bond Bill Committee Co-chair Rep. Roger P. Roy, R-Limestone Hills, said Mr. Wagner briefed committee members on the discovered counting error.

"The company that got the contract wouldn't have had the scoring sheets been tallied right," he said. "They would have been second to the national firm."

He said investigators could not determine if the error was deliberate. He added that it's more important to move forward and get the range back on line.

Mr. Wagner said a final report, which would be released to the public, is at least a month away.

"We recently got some new information that we would like to look at," he said. "We really want to interview one more person before we issue our final report, but that person has a lawyer and that can take time."

He declined to identify who the interviewee would be.

Committee member Rep. Bruce C. Ennis, D-Smyrna, is a former state trooper. He said he's disappointed the investigation isn't complete.

"I thought we would have it by now," he said. "I realize there are contractors and retired troopers to contact. A lot of allegations have been made (but) as far as whether any mistakes were made, it's still too early to tell."

Administrative Services Secretary Gloria W. Homer said Facilities Management has since changed how it scrutinizes scoring mechanisms.

"This happened a while ago before I was secretary," she said. "We understand the auditor's office did a general audit of Facilities Management about that time and uncovered that problem. But they didn't tell us which project it occurred on."

Mrs. Homer said the scoring process now requires a second party to check all tallies. She said the procedure has been in place for about five years.

Bond Bill co-chair Sen. Robert L. Venables Sr., D-Laurel, said he hopes the auditor's final report helps "tighten up the system so something like this doesn't happen again."

He said he is curious to see what Mr. Wagner's report recommends.

"If there's anything that shows mishandling of funds, then (it should be) turned over to law enforcement," he said.

"But I don't see anything to this point where that would be necessary."